

VICTOR HSUE (SBN 247412)
vhsue@google.com
1600 Amphitheatre Parkway
Mountain View, CA 94043
Telephone: (650) 253-6503
Facsimile: (650) 887-2344

Attorney for Defendant
YouTube LLC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Joe Nomura Tetsuya.

Plaintiff,

v.

YouTube LLC.

Defendant.

Case No. 3:11-cv-01208-JCS

Honorable Judge Joseph C. Spero

[PROPOSED] ORDER GRANTING
DEFENDANT YOUTUBE LLC'S MOTION
TO DISMISS PLAINTIFF'S COMPLAINT

1 The Court having considered Defendant YouTube LLC's ("YouTube") Motion to
2 Dismiss Plaintiff's Complaint For Failure To State A Claim Upon Which Relief Can Be Granted
3 Pursuant To Fed. R. Civ. P. 12(B)(6) Or, In The Alternative, To Strike Pursuant To Fed. R. Civ.
4 P. 12(F), and good cause appearing therefore,

5 IT IS HEREBY ORDERED THAT:

- 6 1. Plaintiff's claim for patent infringement is dismissed, with prejudice; and
7
8 2. Plaintiff's prayer for pre-issuance damages pursuant to 35 U.S.C. § 154(d) is
9 dismissed with prejudice/stricken.

10 IT IS SO ORDERED.

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12
13
14 Dated: _____, 2011

Magistrate Judge Joseph C. Spero
United States District Court